

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO, *ex rel.*
State Engineer, *et al.*,

Plaintiffs,

v.

EDUARDO ABEYTA, *et al.*, and
CELSO ARELLANO, *et al.*,

Defendants.

69cv07896 BB-ACE
RIO TAOS ADJUDICATION

69cv07939 BB-ACE
RIO HONDO ADJUDICATION

(CONSOLIDATED)

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on the Rio Hondo Acequias' Motion for Expedited Adjudication of Rio Hondo Priorities (Doc. No. 4872, filed December 1, 2006). For the reasons set forth below, the Court will **DENY** the Motion **as moot**.

On December 1, 2006, the Rio Hondo Acequias ("Acequias") filed their Motion for Expedited Adjudication of Rio Hondo Priorities (Doc. No. 4872, "Motion for Expedited Adjudication") asking the Court to enter an order conditionally adopting the ditch priorities found by the Special Master and stipulated to by the Acequias, authorize service of the order by publication and first class mail, and direct all water rights claimants on the Rio Hondo stream system to show cause why the conditionally adopted priorities should not be finally adjudicated for all water rights in the Rio Hondo stream system. (Doc. No. 4872 at 3). The State opposed the Motion for Expedited Adjudication and requested 45 days to reach an agreement with the Acequias on a procedure to recommend to the Court for adopting water rights priorities. (Doc. No. 4889, filed January 19, 2007). The Acequias joined in the State's request for additional time. (Doc. Nos. 4902

and 4903, both filed February 8, 2007). The Court granted the request for additional time (Doc. No. 4906, filed February 15, 2007) and on April 2, 2007, the Acequias and the State filed their Joint Motion Proposing Procedure to Adopt Stipulated Priorities (Doc. No. 4922, "Joint Procedural Motion"). Because the subsequent Joint Procedural Motion proposes a procedure for adjudicating the Acequias' priority dates, the Acequias' prior Motion for Expedited Adjudication will be denied as moot.

IT IS SO ORDERED.


BRUCE D. BLACK
UNITED STATES DISTRICT JUDGE